IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6574 OF 2005

Kuldip Vinayak Khope ..Petitioner.

Vs.

The Registrar,
Maharashtra Animal and Fishery
Sciences University & Ors. ..Respondents.

....

Mr.Amit Sale for the Petitioner.

Mr.C.R.Sonawane, AGP for Respondent Nos.2 and 3.

....

CORAM : F.I.REBELLO &

DR.D.Y.CHANDRACHUD, JJ.

5th October, 2005.

P.C. :

1. Rule. Heard forthwith.

2. Learned AGP waives notice for Respondent Nos.2 and 3. In view of the earlier judgment of this Court in Writ Petition 5235 of 2005 dated 12th September, 2005, notice on Respondent No.1 is dispensed with.

3. The issue arising in this Petition is also similar to the issue raised in Writ Petition 5235

of 2005. By order dated 12th September, 2005, we have held that the requirement of producing bonafide certificate is in the domain of procedure and as such could have been relaxed by the Respondents. Considering the above, the following order :

> We direct the Respondents to entertain the application of the Petitioner, considering now that the Petitioner has produced the bonafide certificate before Respondent No.1, who would accept the same. The Petitioner's application then to be considered on its own merits along with the other candidates if there be vacant seats and in terms of the rules of the university. The Petitioner's application be considered against SBCC and other reservation to which the Petitioner would be entitled.

Rule made absolute accordingly. There shall be no order as to costs.

(F.I.REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)